Case 2:16-cv-00329-JLR Document 28 Filed 01/09/18 Page 1 of 3 HONORABLE JAMES L. ROBART 2 3 IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON IN SEATTLE 9 DONALD B. MURPHY CONTRACTORS, INC., a 10 No. 2:16-cv-329 JLR Washington corporation, 11 Plaintiff, STIPULATION AND (PROPOSED) 12 ORDER OF DISMISSAL VS. 13 INDIAN HARBOR INSURANCE COMPANY, a foreign insurer. 14 Defendant. 15 16 17 I. STIPULATION 18 19

As detailed in the January 8, 2017 Joint Status Report (Dkt #27), Plaintiff, Donald B. Murphy Contractors, Inc., and Defendant, Indian Harbor Insurance Company, have settled this case, and therefore, by and through their attorneys of record, hereby agree and stipulate that the current action, including the counterclaim, should be dismissed with prejudice and without fees or costs to any party.

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## Dated this 9th day of January 2018. 1 2 HARPER | HAYES PLLC DUANE MORRIS, LLP 3 By: *s/Todd C. Hayes* By: s/Jessica A. Bohl 4 Jessica A. Bohl, WSBA #47729 Todd C. Hayes, WSBA #26361 Max H. Stern, Pro Hac Vice 5 Charles K. Davis Duane Morris LLP 801 Second Avenue, Suite 800 Harper | Hayes PLLC 6 Seattle, WA 98104 One Union Square Telephone: 206.467.1065 7 600 University Street, Suite 2420 Facsimile: 415.957.3001 Seattle, WA 98101 Email: jabohl@duanemorris.com 8 Telephone: 206.340.8010 Facsimile: 206.260.2852 Attorneys for Defendant 9 Email: todd@harperhayes.com Indian Harbor Insurance cdavis@harperhayes.com Company 10 Attorneys for Plaintiff Donald B. 11 Murphy Contractors, Inc. 12 13 14 II. ORDER 15 Based on the foregoing Stipulation, it is hereby ORDERED: 16 1. That this action, including the counterclaim, is hereby dismissed with prejudice: 17 2. This dismissal is effectuated without an award of fees or costs to any party. 18 Done and dated this of day of January 19 20 21 Honorable James L. Robart

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**CERTIFICATE OF SERVICE** I, Jessica A. Bohl, hereby certify that on January 8, 2018, I electronically filed the 2 following document: 3 4 (1) STIPULATION AND (PROPOSED) ORDER OF DISMISSAL 5 with the Court using CM/ECF system which will send notification of such filing to the following: 6 Attorneys for Plaintiff Donald B. Murphy Contractors, Inc. Todd C. Hayes 7 Charles K. Davis Harper | Haves pllc 8 One Union Square 9 600 University Street, Suite 2420 Seattle, WA 98101 10 Telephone: 206.340.8010 Facsimile: 206.260.2852 11 Email: todd@harperhayes.com cdavis@harperhayes.com 12 13 14 DATED this 9th day of January 2018 DUANE MORRIS LLP 15 By: s/ Jessica A. Bohl 16 Jessica A. Bohl, WSBA No. 47729 Duane Morris LLP 17 801 Second Avenue, Suite 800 Seattle, WA 98104 18 Telephone: 206.467.1065 415.957.3001 Facsimile: 19 Email: jabohl@duanemorris.com 20 Attorney for Defendant Indian Harbor Insurance Company 21 22 DM1\8363101.1 23 24 25 26

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